

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

Quad Int'l Incorporated.,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 1:12cv1261

PLAINTIFF'S MOTION FOR A CLARIFICATION ORDER

Comes now, the Plaintiff and moves this Court for a clarification order for the reasons set forth herein:

On January 11, 2013, this Court entered an order relating to an anonymous motion to quash a subpoena filed by Plaintiff and directed to Comcast Communications. The Plaintiff previously obtained permission of this Court to serve a Rule 45 subpoena on Comcast to obtain certain identifying information relevant to the registered user of an internet protocol address used in infringement of the Plaintiff's intellectual property. After receiving the authority of the Court, the Plaintiff served a subpoena on Comcast. In response to that subpoena, Comcast notified its customer (who purportedly is the movant in this action) of the subpoena and advised its customer that she had a right to file a motion to quash within 30 days. The movant appears to have timely filed a motion to quash. The Plaintiff has not obtained the information requested from Comcast as a motion to quash is pending.

In the Court's order, it identified the issue of a Motion to Quash as being moot. The Plaintiff respectfully disagrees, and avers this Court should rule on the movant's motion to quash the Rule 45 subpoena served. The Plaintiff agrees that oral argument is not necessary, as the Plaintiff has filed its response and asks the Court to consider that response in a clarification order.

The remaining portion of the order does not necessarily need to be addressed or corrected. However, the Plaintiff cannot proceed in this action until the information is turned over from Comcast which will require an order from this Court on whether to sustain or deny the motion.

CONCLUSION

For the foregoing reasons, the Plaintiff moves this Court for a clarification order on whether the motion to quash should be affirmed or denied.

Respectfully submitted,

Quad Int'l Incorporated

DATED: January 16, 2013

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 16, 2013, all individuals of record who are deemed to have consented to electronic service are being served true and correct copy of the foregoing documents, and all attachments and related documents, using the Court's ECF system.

s/ Timothy V. Anderson